

Novell

November 12, 2007

VIA FACSIMILE and U.S. MAIL

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: Request for Review; Ref: CC Docket No. 96-45 and CC Docket No. 02-6

Dear Ms. Dortch:

Please accept this letter as a formal appeal of the USAC's recent decision regarding case #21-621557 as reflected in the attached letter dated 09/13/2007 (the "Denial Letter"). By the Denial Letter, Novell was denied an invoice extension request. Novell's Service Provider Identification number is 143004863.

The extension request submitted to the USAC was for multiple funding years and multiple 471 applications as well as Funding Request Numbers (FRN's) (see attached listing referenced in the Denial Letter).

The reason for our appealing USAC's decision is that Novell was previously granted the right to submit and/or present our service provider invoices for payment but missed the deadline due to transitioning of employees and as part of a significant reduction in force suffered by Novell. As you may be aware, Novell has been under significant competition from Microsoft's monopolistic practices over the past several years, all of which necessitated certain force reductions during 2005 and 2006. As a direct result of these reductions in force, individuals within Novell that had been tasked with pursuing this matter were reassigned or left the company. Given these factors and the fact that the amounts in question are significant to Novell, we are seeking reconsideration and review of the USAC's decision. In so doing, we are hopeful that we will be allowed to present these invoices for our product and services that we have already provided to approved applicants of the Schools & Licensing division of the E-Rate program.

Sincerely,



Chris Andersen
Vice President, Finance and Corporate Controller
Novell, Inc.

Administrator's Decision on Invoice Deadline Extension Request

September 13, 2007

Teri Olsen
Novell, Inc.
1800 South Novell Place, PRV-H422
Provo, UT 84606

RE: SLD Invoice #: N/A BEAR or SPI: N/A
Invoice Date: N/A

SLD Line(s) #: N/A
Vendor invoice #: N/A
471 Application Number: *See Attachments
Funding Request Number(s): *See Attachments
Your Correspondence Dated: August 3, 2007

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your invoice deadline extension request for the invoice number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your request included more than one invoice number, please note that for each invoice for which an invoice deadline extension request was submitted, a separate letter is being sent.

Invoice Number: N/A Line(s): N/A
Decision on Request: **Denied**

Explanation: Current deadline guidelines and procedures do not allow approval for the reason submitted.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - appellant name,
 - applicant or service provider name,
 - BEN and/or SPIN,
 - Form 471 and FRN
 - invoice number as assigned by the SLD,
 - “Administrator’s Decision on Invoice Deadline Extension Request” dated 09/13/2007 **AND**
 - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD’s decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD’s decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the “Submit a Question” feature on the web site at www.usac.org/sl/. Click “Continue,” choose “Appeals” from the Topics Inquiry on the lower portion of your screen, and click “Go” to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
100 South Jefferson Road
P.O. Box 902
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

471 No.	FRN
13247	9386
23488	22806
28074	28118
28126	28289
31959	70273
31959	70341
105876	156129
108051	116584
109506	126929
110131	131291
112158	150731
112158	150732
112158	151044
112977	159291
112977	159291
119821	174100
119881	171367
122975	179963
123056	189811
123056	189829
123056	189832
123056	189850
123056	189862
123056	189865
124514	185047
124514	185049
125579	184202
127882	190827
134554	257284
134556	257294
136130	279873
136316	204373
136484	204811



Administrator's Decision on Invoice Deadline Extension Request

June 6, 2006

Teri Olsen
Novell, Inc.
1800 S. Novell Place
Mailstop PRV-E-231
Provo, UT 84606

RE: SLD Invoice #:	N/A	BEAR or SPI:	N/A
		Invoice Date:	N/A

SLD Line(s) #:	N/A
Vendor invoice #:	N/A
471 Application Number:	*See Attachments
Funding Request Number(s):	*See Attachments
Your Correspondence Dated:	March 23, 2006

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your invoice deadline extension request for the invoice number indicated above. This letter explains the basis of SLD's decision. If your request included more than one invoice number, please note that for each invoice for which an invoice deadline extension request was submitted, a separate letter is being sent.

Invoice Number: N/A Line(s): N/A

Decision on Request: **Approved**

Since this Administrator's Decision approved your request, an invoice requesting payment must be submitted, so that it is postmarked no later than 120 days after the date of this letter in order for your request to be considered as timely filed. If you are resubmitting a Form 472, please remember that you should forward the form to the Service Provider as soon as possible to ensure sufficient time to process your request. The invoice should be submitted in accordance with the instructions that are posted in the SLD Forms area of the SLD web site at www.universalservice.org/sl/ or are available by contacting the SLD Client Service Bureau at 1-888-203-8100.

Thank you for your continued support of and participation in the E-rate program.

Schools and Libraries Division
Universal Service Administrative Company

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28074	28118
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134554	257284
134556	257294
136130	279873
136316	204373
138277	211905
138450	212654
142835	227241
143645	278442
143818	274908
145724	280037
152794	266650
153405	271604
173430	346712
174394	348320
178359	359686
185200	384927
185459	394249
221045	508856
224402	548508
231352	566360
232699	618960
234225	547992
234314	554899
236866	573435
244360	620113
244417	589008
245349	593346

248272	619975
249022	641757
250374	614794
253578	637121
253618	626841
255723	718611
289457	739452
294415	817817
294415	817993
294415	818051
294415	818102
301559	774674
302924	779086
305225	787512
308502	802108
308847	819098
311350	811025
315574	829517
322096	857765
323365	865743
323365	865813
323365	866421
323365	866458
323365	866521
323365	866596
324269	870707
324453	868658
327722	880602
328924	886688
338137	962030
342006	921534
342006	921534
344339	950239
345241	962406
349019	939173
349951	941760
352045	974555
352991	950198
354035	993049
354410	954596
356761	962229
358720	971590
361025	977200
361025	1002968
363154	984911
363154	984911
363792	986777
365555	992867
366168	994844
366256	995210